:	 			
			ELECTRONICALLY FILED June 2D, 2006	
1 2 3 4 5 6 7 8 9	STUTMAN, TREISTER & GLATT, P.C. FRANK A. MEROLA (CA State Bar No. 136934 EVE H. KARASIK (CA State Bar No. 155356) CHRISTINE M. PAJAK (CA State Bar No. 217173), Members of Stutman, Treister & Glatt P.C. 1901 Avenue of the Stars, 12 th Floor Los Angeles, California 90067 Telephone: (310) 228-5600 Facsimile: (310) 228-5788 Email: fmerola@stutman.com ekarasik@stutman.com cpajak@stutman.com Counsel for the Official Committee Of Equity Security Holders Of USA Capital First Trust Deed Fund, LLC	JAMES PAT (Nevada State CANDACE (Nevada State SHLOMO S. (Nevada State 233 South Fo Las Vegas, N Telephone: (76 Facsimile: (76 Email:	e Bar No. 000405) C. CARLYON Bar No. 002666) SHERMAN E Bar No. 009688 ourth Street, Second Floor evada 89101 702) 471-7432	
11		ZDIIDTCV C	OUDT	
12	UNITED STATES BANKRUPTCY COURT DISTRICT OF NEVADA			
13	In re:) BK-S-06-10725-LBR) Chapter 11	
14	USA COMMERCIAL MORTGAGE COMPANY, Debtor.) }	
15	In re:	BK-S-06-10726-LBR		
16	USA CAPITAL REALTY ADVISORS, LLC, Debtor.	Chapter 11		
17	In re: USA CAPITAL DIVERSIFIED TRUST DEED FU Debtor.) BK-S-06-10727-LBR) Chapter 11)		
18	In re:) BK-S-06-10728-LBR	
19	USA CAPITAL FIRST TRUST DEED FUND, LL Debtor.) Chapter 11)		
20	In re: USA SECURITIES, LLC,) BK-S-06-10729-LBR) Chapter 11	
21	Debtor.)	
22	Affects)) Data Tara 01 0000	
23) Date: June 21, 2006) Time: 9:30 a.m.	
24	USA Securities, LLC) Place: Courtroom #1	
25	USA Capital Realty Advisors, LLC USA Capital Diversified Trust Deed))	
26	USA First Trust Deed Fund, LLC			
27	SUPPLEMENTAL CERTIFICATE OF SERVICE RE: OPPOSITION TO MOTION FOR EMERGENCY, INTERIM AND PERMANENT ORDERS AUTHORIZING THE DEBTORS TO OBTAIN POST			
28	PETITION FINANCING (AFFECTS ALL DEBTORS)			
	396763v1			

1	I HEREB document:	Y CERTIFY that on the 19th day of June, 2006, I served the following				
2						
3	OPPOSITION TO MOTION FOR EMERGENCY, INTERIM AND PERMANENT ORDERS AUTHORIZING THE DEBTORS TO OBTAIN POST PETITION					
4	FINANCING (A	FFECTS ALL DEBTORS)				
5	I served t	he above named document(s) by the following means to the persons as listed				
6	below:					
7	☐ a.	ECF System.				
8	⊠ b. Rider	United States mail, postage full prepaid to the following: See Attached				
10		Personal service.				
11						
12		I personally delivered the documents to the persons at these addresses:				
13		For a party represented by an attorney, delivery was made by handing the document(s) at the attorney's office with a clerk or other person in charge,				
14		or if no one is in charge, by leaving the document(s) in a conspicuous place in the office.				
15		For a party, delivery was made by handing the document(s) to the party or				
16 17		by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.				
18	☐ d.	By direct email.				
19		Based upon the written agreement of the parties to accept service by email or				
20		a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the				
21		transmission, any electronic message or other indication that the transmission was unsuccessful.				
22		was disaccossidi.				
23						
24						
25						
26						
27						
28						
	396763v1	2				

1	e	e. By fax transmission.			
2		Based upon the written agreement of the parties to accept serve by fax			
3		transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used.			
4		A copy of the record of the fax transmission is attached.			
5	☐ f	f. By messenger.			
6		I served the document(s) by placing them in an envelope or package addressed			
7		to the persons at the addresses listed below and providing them to a messenger for service.			
8	I dec	clare under penalty of perjury that the foregoing is true and correct.			
9	DATED this 19th day of June, 2006.				
10		1			
11 12		Joanne C. Metcalf, an employee			
13		/ /of STUTMAN, TREISTER & GLATT			
14		PROFESSIONAL CORPORATION.			
15		·			
16					
17					
18		•			
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
	306763::1	2			

USA Commercial Mortgage Company #5870 Master Service List Doc. #390939, v/2

Debtors
USA Commercial Mortgage Co., et al.
Attn: Thomas J. Allison
4484 South Pecos Road
Las Vegas, NV 89121

Attys for Debtors Annette W. Jarvis Ray Quinney & Nebeker P.C. 36 So. State Street, Suite 1400 P.O. Box 45385 Salt Lake City, UT 84145-0385 Attys for Debtors Lenard E. Schwartzer Jeanette E. McPherson Schwartzer & McPherson Law Firm 2850 So. Jones Blvd., Suite 1 Las Vegas, NV 89146-5308

Office of the U.S. Trustee 300 Las Vegas Blvd. South Suite 4300 Las Vegas, NV 89101 CO-COUNSEL FOR EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC James Patrick Shea, Candace Carlyon, Shawn W. Miller & Shlomo S. Sherman Shea & Carlyon, Ltd 233 S. Fourth St., 2nd Floor Las Vegas, NV 89101

USA CAPITAL REALTY ADVISORS, LLC UNSECURED CREDITORS Kummer, Kaempfer, Bonner & Renshaw 3800 Howard Hughes Pkwy. 7th Floor Las Vegas, NV 89109 Intershow The Githler Center 1258 North Palm Ave. Sarasota, FL 34236

USA SECURITIES, LLC UNSECURED CREDITORS James Hull c/o Signature Financial 2601 Airport Drive Torrance, CA 90505 George Gorman c/o Financial West Group 4510 E. Thousand Oaks Blvd. Thousand Oaks, CA 91362

R. Hagmaier c/o Financial West Group 4510 E. Thousand Oaks Blvd. Thousand Oaks, CA 91362 Tim Rich c/o Financial West Group 4510 E. Thousand Oaks Blvd. Thousand Oaks, CA 91362 COUNSEL FOR OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF USA COMMERCIAL MORTGAGE COMPANY

Rob Charles, Susan M. Freeman Lewis and Roca, LLP 3993 Howard Hughes Parkway, 6th Floor Las Vegas, NV 89109

UNSECURED CREDITORS'
COMMITTEE FOR USA COMMERCIAL
MORTGAGE COMPANY

Bunch, Dell 1909 Red Robin Court Las Vegas, NV 89134

Dell Bunch dba Loan Partners Capital Attn: Donald R. Walker 9209 Eagle Hills Drive Las Vegas, NV 89134-6109 Advanced Information System Attn: Michael T. Yoder 4270 Cameron St., Suite 1 Las Vegas, NV 89103

Russell Ad Development Group, LLC P.O. BOX 28216 Scottsdale, AZ 85255

Russell/AD Development Group, LLC Attn: Robert A. Russell 8585 E. Hartford Dr., Ste. 500 Scottsdale, AZ 85255

Annee Nounna 8057 Lands End Court Las Vegas, NV 89117-7635 Robert L. Hagmaier 15254 Candlewood Court Lake Oswego, OR 97035

COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND, LLC Robert E. Taylor 1535 Flynn Road Camarillo, CA 93012

Managerigation of the state of

Robert E. Taylor c/o Chuck Heinrichs 198 El Pajaro Newbury Park, CA 91320 John Warner Jr., IRA C/O First Savings Bank 2605 East Flamingo Rd Las Vegas, NV 89121

Richard G. Woudstra Revoc. Trust Richard G. Woudstra Trustee P.O. Box 530025 Henderson, NV 89053

Joseph S. Congress 9900 Wilbur May Parkway, #802 Reno, NV 89521-4008

COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC

Thomas C. Lawyer Family Trust Atn: Thomas C. Lawyer 45 Ventana Canyon Dr. Las Vegas, NV 89113

Robert Hardy 6510 Ansonia Court Las Vegas, NV 89118-1874

Gordon & Silver, LTD.
Attn: Gerald M. Gordon, Gregory E.
Garman, Talitha B. Gray & Matthew C.
Zirzow, Esq.
3960 Howard Hughes Pkwy, 9th Fl.
Las Vegas, NV 89109

William J. Bullard Fertitta Enterprises, Inc. P.O. Box 27555 Las Vegas, NV 89126-1555

Dennis Flier, Inc. Defined Benefit Trust Dated 6/29/87 20155 Porto Vita Way, #1803 Aventura, FL 33180

Edward M. Homfeld Homfeld II, LLC 777 S. Federal Highway Suite N-409 Pompano Beach, FL 33062 John H. Warner, Jr. 2048 North Chettro Trail St. George, UT 84770-5345

Wen Baldwin Separate Property Trust u/a/d 9/2/97 Wen Baldwin, Trustee 365 Dooley Drive Henderson, NV 89015

COUNSEL FOR OFFICIAL
COMMITTEE OF EQUITY SECURITY
HOLDERS OF USA CAPITAL
DIVERSIFIED TRUST DEED FUND,
LLC

Robert Worthen 1112 Worthen Circle Las Vegas, NV 89145

Jerry T. McGimsey 3115 S. El Camino Road Las Vegas, NV 89146-6621

Frank Weinman 2947 Pinehurst Drive Las Vegas, NV 89109

USA COMMERCIAL MORTGAGE CO. EXECUTORY CONTRACTS DIRECT LENDER COMMITTEE

Helms Homes, LLC Atn: Terry Helms 809 Upland Blvd. Las Vegas, NV 89107

Arthur Polacheck 2056 Woodlake Circle Deerfield Beach, FL 33442

Homfeld II, LLC Atn: Edward W. Homfeld 858 Bishop Road Grosse Pointe Park, MI 48230 Mary E. & Matthew Moro 1009 – 8th Street Manhattan Beach, CA 90266

John Goings P.O. Box 174 Masonville, CO 80541

Marc A. Levinson Lynn Trinka Ernce Orrick, Herrington & Sutcliff, LLP 400 Capital Mall, Suite 3000 Sacramento, CA 95814

Katz 2000 Separate Property Trust Sara M. Katz, Managing Trustee 4250 Executive Square, #670 San Diego, CA 92037

Charles O. Nichols and Flora A. Nichols 2561 Seascape Drive Las Vegas, NV 89128

COUNSEL FOR THE OFFICIAL COMMITTEE OF HOLDERS OF EXECUTORY CONTRACT RIGHTS OF USA COMMERCIAL MORTGAGE COMPANY

Fertitta Enterprises, Inc. 2960 W. Sahara Ave., Suite 200 Las Vegas, NV 89102

Terry R. Helms Living Trust 11/94 Atn: Terry Helms 809 Upland Blvd. Las Vegas, NV 89107

James W. McCollum & Pamela P. McCollum 1011 F Avenue Coronado, CA 92118

GOVERNMENTAL AND REGULATORY ENTITIES:

Nevada Mortgage Lending Div. Attn: Susan Eckhardt 3075 E. Flamingo #100 Las Vegas, NV 89121

Dept. of Employment Training Employ. Sec Div. Contribut. Sec. 500 East Third Street Carson City, NV 89713-0030

NV Dept. of Taxation Bankruptcy Division 555 E. Washington #1300 Las Vegas, NV 89101

NV Dept. of Taxation Revenue Division Capitol Complex Carson City, NV 89710-0003

U.S. Dept. of Justice Tax Div. – Western Region P.O. Box 683 Ben Franklin Station Washington D.C. 20044

FHA/HUD District Office 333 North Rancho Dr., #700 Las Vegas, NV 89106-3797

Clark County Assessor c/o Bankruptcy Clerk P.O. Box 551401 Las Vegas, NV 89155-1401

Maryetta Bowman 534 Enchanted Lkes Drive Henderson, NV 89052

RJ Rocco 12617 Cottageville Lane Keller, TX 76248

Robert R. Kinas, Esq. Jennifer L. McBee Snell & Wilmer, LLP 3800 Howard Hughes Parkway, #1000 Las Vegas, NV 89109 U.S. Securities & Exchange Comm. Attn: Sandra W. Lavigna. 5670 Wilshire Blvd., 11th Floor Los Angeles, CA 90036-3648

DMV and Public Safety Records Section 555 Wright Way Carson City, NV 89711-0250

IRS Attn: Bankruptcy Dept. Stop 5028 110 City Parkway Las Vegas, NV 89106

Office of Labor Commissioner 555 E. Washington Ave. Suite 4100 Las Vegas, NV 89101

U.S. Securities & Exchange Comm. Atn: Sarah D. Moyed, Esq. 5670 Wilshire Blvd. Ste. 1100 Los Angeles, CA 90036-3648

Dept. of Veterans Affairs Loan Service and Claims 3225 North Central Phoenix, AZ 85012

NOTICES OF APPEARANCE/REQUESTS FOR NOTICE

Edward W. Homfeld Homfeld II, LLC 777 South Federal Highway, Suite N-409 Pompano Beach, Florida 33062

Margie Gandolfo 1724 Arrow Wood Drive Reno, NV 89521

Michael R. Shuler c/o Jay R. Eaton Eaton & O'Leary, PLLC 115 Grove Avenue Prescott, AZ 86301 Pension Benefit Guaranty Corp. Office of the Chief Counsel 1200 K Street N.W. Washington, D.C. 20005-4026

Employers Ins. Co. of NV Attn: Bankruptcy Desk 9790 Gateway Drive Reno, NV 89521-5906

Secretary of State State of Nevada 202 N. Carson Street Carson City, NV 89701

U.S. Attorney District of Nevada 323 Las Vegas Blvd. So. #5000 Las Vegas, NV 89101

IRS Ogden, UT 84201

Clark County Treasurer c/o Bankruptcy Clerk P.O. Box 551220 Las Vegas, NV 89155-1220

Don Tomlin c/o David W. Mounier 15316 Sky High Road Escondido, CA 92025

Richard McKnight, Esq. 330 South Third St., #900 Las Vegas, NV 89101

Janny Catharina Brouwer 2533 Kinnard Avenue Henderson, NV 89074

Kermit Kruse 2710 Albany Avenue Davis, CA 95616 Kelly J. Brinkman, Esq. Goold Patterson, Alex & Day 4496 So. Pecos Road Las Vegas, NV 89121

Attila Jefzenszky 1720 Colavita Way Reno, NV 89521

Paul & Donna Jacques 810 S.E. 7th St., A103 Deerfield Beach, FL 33441

Sean Najarian, Esq. The Najarian Law Firm 283 S. Lake Ave., Suite 205 Pasadena, CA 91101

Laurel L. Davis, Esq. Lionel Sawyer & Collins 4700 Bank of America Plaza 300 S. Fourth St. Las Vegas, NV 89101

Nicholas J. Santoro 400 S. Fourth St., 3rd Floor Las Vegas, NV 89101

CiCi Cunningham/James Kohl & Christine Roberts
Rawlings Olson Cannon, et al.
9950 W. Cheyenne Ave.
Las Vegas, NV 89129

Kevin B. Christensen, Xanna Hardman & Evan James 7440 W. Sahara Ave. Las Vegas, NV 89117

Peter Susi, Esq., Jae Michaelson, Esq. Michaelson, Susi & Michaelson Seven W. Figueroa St., 2nd Floor Santa Barbara, CA 93101

Bolick & Boyer Erven Nelson/Robert Bolick 6060 W. Elton Ave., Suite A Las Vegas, NV 89107 Janet L. Chubb, Esq. Jones Vargas 100 West Liberty St., 12th Floor P.O Box 281 Reno, NV 89504-0281

Vince Danelian P.O. Box 97782 Las Vegas, NV 89193

Peter Bolino 17412 Serene Drive Morgan Hill, CA 95037

Bank of America c/o Scott D. Fleming, Esq. Hale Lane Peek Dennison Howard 3930 Howard Hughes Pkwy. 4th Fl Las Vegas, NV 89109

American Express Bank FSB c/o Gilbert B. Weisman, Esq. Becket and Lee LLP P.O. Box 3001 Malvern, PA 19355-0701

Jed A. Hart Angelo, Gordon & Co. 245 Park Avenue, 26th Floor New York, NY 10167

Franklin C. Adams, Esq. Best Best & Krieger, LLP 3750 University Ave. #400 P.O. Box 1028 Riverside, CA 92502-1028

R. Mason/P. Smoots/M. Schmahl McGuire Woods LLP 77 W. Wacker Drive, Ste. 4100 Chicago, IL 60601

Allison Mackenzie Russell, et al. Joan C. Wright 402 N. Division St. P.O. Box 646 Carson City, NV 89702

Callister & Reynolds Matthew Q. Callister 823 Las Vegas Blvd. South Las Vegas, NV 89101 Martin B. Weiss, Esq. The Garrett Group, LLC One Betterworld Circle, Suite 300 Temecula, CA 92590

William L. McGimsey, Esq. 601 E. Charleston Blvd. Las Vegas, NV 89104

STAN WOLKEN Send notice to: bayareastan@yahoo.com

Nile Leatham James Macrobbie Kolesar & Leatham, CHTD 3320 W. Sahara Ave., #380 Las Vegas, NV 89102-3202

S&J Enterprise Invest. c/o Caryn S. Tijsseling, Esq. Beesley, Peck & Matteoni, Ltd. 5011 Meadowood Mall Way, Ste. 300 Reno, NV 89502

Bradley J. Stevens 3300 N. Central Avenue Suite 1800 Phoenix, AZ 85012

Jeffrey G. Sloane Regina M. McConnell Kravitz, Schnitzer, Sloane, Johnson et al. 1389 Galleria Dr., Suite 200 Henderson, NV 89014

Donald Polednak Sylvester & Polednak, Ltd, 7371 Prairie Falcon, Suite 120 Las Vegas, NV 89128

Bay Communities c/o Chris McKinney 4800 No. Federal Highway, Suite A205 Boca Raton, FL 33431

Andrew Welcher c/o Nordman Cormany Hair & Compton Attn: William E. Winfield, Esq. 1000 Town Center Dr., Sixth Fl. P.O. Box 9100 Oxnard, CA 93031 Robert Verchota, Gen. Partner c/o R&N Real Estate Inv. LP Attn: Jeffrey A. Cogan, Esq. 3990 Vegas Drive Las Vegas, NV 89108

Woodburn & Wedge Attn: John F. Murtha, Esq. 6100 Neil Road, Ste. 500 P.O. Box 2311 Reno, NV 89505

William D. Cope Cope & Guerra 595 Humboldt Street Reno, NV 89509-1603

Russell James Zuardo 1296 High Forest Avenue Las Vegas, NV 89123 Law Offices Of James G. Schwartz Attn: James G. Schwartz/Joshua D. Brysk 7901 Stoneridge Drive, Ste. 401 Pleasanton, CA 94588

Howard Connell 1001 Jennis Silver Street Las Vegas, NV 89145

Thomas & Stilly, Sussman, Shank, LLP 1000 SW Broadway, Suite 1400 Portland, OR 97205-33089

John Peter Lee, Ltd. John Peter Lee, Esq. 830 Las Vegas Blvd., South Las Vegas, NV 89101 Scott K. Canepa Canepa, Riedy & Rubino 851 S. Rampart Blvd., #160 Las Vegas, NV 89145

Franklin/Stratford Investment LLC c/o Deaner, Deaner,, Scann et al. Atn: Susan Scann/Paul Connaghan 720 So. Fourth Street, Ste. 300 Las Vegas, NV 89101

Thomas R. Brooksbank Brooksbank & Associates 689 Sierra Rose Dr., Suite A-2 Reno, NV 89511